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HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE JUSTICE SHRI SATISH K. AGNIHOTRI

WRIT PETITION (S) No. 2505 of 2007

PETITIONER : H.L.Jain S/o.-Shri K.L.Jain Aged about 59 years R/o.-Village and Post Ward No. 3, Rajnandgaon Distt.-Rajnandgaon (C.G.)

VERSUS

RESPONDENTS : 1) State of Chhattisgarh Through the Secretary Public Works Department D.K.S. Bhawan, Mantralaya Raipur (C.G.)

2) Superintendent Engineer Public Works Department Durg, Circle District Durg (C.G.)

3) Executive Engineer Rajnandgaon, Public-Works Department, District Rajnandgaon (C.G.)

4) Shri A.K.Pawa Sub Engineer, Sub Division no. 1, PWD Office Rajnandgaon District Rajnandgaon (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

Present: Shri Anup Majumdar, Advocate for the petitioner.
Shri Vinay Pandey, Panel Lawyer for the State / respondents 1 to 3.

ORDER

(Passed on 24th day of April, 2007)

1. The petitioner is aggrieved by the order dated 05.02.207 (Annexure P/2) whereby Shri A.K.Pawa, the senior most Engineer of the Division No. 1, Public Works Department, Rajnandgaon, has been

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assigned the charge of Sub Divisional Officer, in place of the petitioner, who was earlier occupying the said post.

2. Admittedly, the respondent no. 4, Shri A.K.Pawa is the senior most officer. As per the Public Works Department manual, the officiating charge should be given to the senior most officer. In view of the fact that the respondent no. 4 has been assigned the officiating charge of Sub Divisional Officer being the senior most officer, the order dated 05.02.2007 (Annexure P/2) is just and proper and needs no interference of this Court.

3. In view of the foregoing, there is no merit in this case and deserves to be and is dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge